

From: Ellis, William T. [mailto:WEllis@foley.com]
Sent: Tuesday, December 29, 2009 3:54 PM
To: Le, Khanh H. (AU3622)
Cc: Mark Landesmann; Ellis, William T.
Subject: 09/888439

Dear Examiner Le

With regard to 09/888,439, on which you are doing a Notice of Allowance with an Examiner's Amendment, applicant wishes to clarify that our understanding, and one of ordinary skill in the art would understand, that the claim element "[S]aid decision being in the economic interest of said at least one of the buyer entities" is interpreted to mean that the decision serves to measurably add to, or to improve, the choices that the buyer entity has with respect to its investment of time, money, or other resources. The universe of such decisions, for instance, comprises a decision to present an offer to the buyer entity that has an increased likelihood of being accepted by the buyer entity, as measured, either by the response of the buyer entity, or, alternatively, as measured by the response rate of other similar buyer entities responding to the same or to similar offers by comparison to average response rates.

We understand and wish that this email be scanned into the Record for this application, as the way that this claim element is to be interpreted.

Sincerely,

William Ellis
Foley & Lardner
Washington D.C.

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